1 INTRODUCTION

1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

This document is an environmental impact report (EIR), prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations §15000 *et seq.*). This EIR has been prepared to evaluate the environmental impacts associated with the proposed expansion of the Patterson Sand and Gravel mine, located on approximately 884 acres in Placer (primarily) and Yuba counties, approximately 2.5 miles northeast of the unincorporated community of Sheridan along the Bear River. The proposed expansion area consists of a total of approximately 448 acres, including 365 acres of additional mined area and 83 acres of preservation area.

When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the project (the lead agency) is required to prepare an EIR. The lead agency for the proposed Patterson Sand and Gravel Mine Expansion Project is Placer County. CEQA requires lead agencies to consider environmental effects that may occur with approval of a proposed project and to avoid or substantially lessen significant effects to the environment when feasible.

CEQA, in PRC §21002.1, presents important state policy relevant to use of an EIR. Key provisions of PRC §21002.1 are presented below:

- PRC §21002.1(a) states that the purpose of an EIR is to "... identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided."
- PRC §21002.1(b) states that "[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so."
- PRC §21002.1(c) provides that "[i]f economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency if the project is otherwise permissible under applicable laws and regulations."

In addition to assessing the environmental impacts associated with the proposed mine expansion project, this document also addresses three mine expansion alternatives in accordance with §15126.6 of the State CEQA Guidelines. These alternatives are the No Project Alternative, the No Asphalt Batch Plant Alternative, and the Reduced Acreage Alternative. These alternatives are evaluated in Chapter 17 of this EIR.

Two alternate haul routes are also evaluated in Chapter 17 in sufficient detail to allow the Placer County Board of Supervisors to approve either of the alternate routes, if desired.

The alternate haul routes identified in *Access Alternatives Analysis for Patterson Sand & Gravel, Placer County* (kd Anderson 2000) are also discussed qualitatively in Chapter 17 based on general environmental impacts and feasibility rationale presented in the kd Anderson report.

An EIR is an informational document used in the planning and decision-making process for a proposed project. The purpose of an EIR is not to recommend either approval or denial of a project, but to disclose objective information so that informed decisions can be made. CEQA requires the decision-makers to balance the benefits of a proposed project against its unavoidable environmental effects.

Patterson Sand and Gravel must obtain a Conditional Use Permit (CUP), reclamation plan approval, and financial assurances approval for the proposed mine expansion project to comply with Placer County and Yuba County requirements and the requirements of the Surface Mining and Reclamation Act (SMARA) of 1975 (PRC §§2710 et seq). Pursuant to §2774.4 of SMARA, the California State Mining and Geology Board (SMGB) has assumed lead agency functions from Yuba County regarding the review and approval of reclamation plans and financial assurances in Yuba County. The proposed project is within the jurisdiction of Placer County for a CUP, and for reclamation plan and financial assurances approvals for the Placer County portion; within the jurisdiction of Yuba County for a CUP; and within the jurisdiction of the SMGB for reclamation plan and financial assurances approvals for the Yuba County portion.

Where, as with the proposed project, a proposed surface mining operation is within the jurisdiction of two or more public agencies, and mining is a permitted use within such agencies' jurisdiction, §2771 of SMARA allows for the designation of one of these public agencies to serve as the lead agency under SMARA for consideration of the project. Placer County and the SMGB have agreed that Placer County will be the lead agency for purposes of SMARA compliance, and the lead agency for purposes of CEQA in accordance with CEQA Guidelines §15051(b). A Memorandum of Understanding (MOU) between Placer County and the SMGB has been prepared, and execution is in process. Also pursuant to §2771 of SMARA, staff from Placer County and Yuba County have been negotiating an MOU that would provide Placer County the authority to issue a CUP for the whole of the project area, including both counties. The CUP would be effective in both counties, and the conditions of approval would apply in both counties. An MOU between Placer County and Yuba County has been drafted, but has not yet been executed.

After reviewing this EIR and other information regarding the project proposal, the Placer County Planning Commission will consider the adequacy of the EIR for compliance with CEQA, then will complete its review of the project and make a project recommendation. The Placer County Board of Supervisors will then consider the project and take action on the applicant's requested county approvals (see Section 2.5 of this EIR for a list of requested approvals). If the MOU between Placer County and Yuba County is executed, neither the Yuba County Planning Commission nor the Yuba County Board of Supervisors would need to consider the applicant's requested CUP. It is important to note that no SMARA lead agency approvals would be required, nor would an EIR need to be prepared, for continuation of Patterson Sand and Gravel's currently permitted mining and processing operations.

In accordance with CEQA, the identification of environmental impacts as significant and unavoidable does not mean that a project must be denied. CEQA lead agencies may still approve a project if they find that the project's merits (e.g., economic, legal, social, technological benefits) outweigh the unavoidable impacts, as allowed by PRC §21081(a) and §21081(b). The lead agencies are then required to state in writing the specific reasons for approving the project based on information in the EIR and other information in the record. This statement is called, per §15093 of the State CEQA Guidelines, a "statement of overriding considerations."

1.2 INTENDED USES OF THE EIR

As described above, Placer County is the lead agency for the proposed project and has discretionary authority over the primary project approvals. However, a portion of the proposed project lies within the jurisdictional boundaries of Yuba County and may require discretionary approvals by Yuba County. The applicant is requesting the following primary project approvals:

- Conditional Use Permits (Placer/Yuba Counties),
- review and approval of the mine reclamation plan and financial assurances (Placer County/SMGB),
- rezoning to add an -MR combining district (Placer County),
- an encroachment permit (Placer County), and
- a development agreement (Placer County).

This EIR is also intended to be used by other responsible agencies that may have authority over the proposed project. Other potential permits and/or approvals that would be required for development of the proposed mine expansion project are identified in Chapter 2, Project Description.

1.3 ENVIRONMENTAL REVIEW PROCESS

As part of the environmental review process, a Notice of Preparation (NOP) was circulated by Placer County for the proposed mine expansion project in June 2000 and a subsequent NOP for construction of an alternative haul road to bypass Sheridan was published on March 5, 2001. In accordance with State CEQA Guidelines §15082(a), the NOPs were published to inform responsible agencies and the public that the proposed project could have a significant effect on the environment, and to solicit their comments and input. The NOPs and comments received are found in Appendix A.

This Draft EIR is being distributed for a 45-day public comment period. Comments on the Draft EIR may be made in writing before the end of the review period. Following the close of the public comment period, written responses to comments on the Draft EIR will be prepared by the EIR consultant on behalf of Placer County. The Draft EIR, together with the responses to comments and other CEQA-mandated information, will constitute the Final EIR. The Final EIR will be considered by Placer County (and perhaps Yuba County and the SMGB, depending on the execution of the MOUs) before

any action is taken on the proposed mine expansion project. Written comments on the Draft EIR should be addressed to:

Mr. Paul Thompson, Supervising Planner
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

1.4 EFFECTS FOUND NOT TO BE SIGNIFICANT

This section contains a discussion of the environmental effects not found to be significant in accordance with PRC §21100(c). These effects are discussed below but are not addressed further in the analysis provided throughout Chapters 4–16 of this EIR.

POPULATION, EMPLOYMENT, AND HOUSING

The proposed mine expansion project would not result in substantial effects on population, employment, or housing. No population growth in the project area would be generated because no housing is proposed. The proposed project also would also not remove or displace any existing housing. The proposed mine expansion project, as the name implies, would add mining opportunities by expanding the mined area at the Patterson mine site by up to 365 acres and would extend the life of the mine by approximately 30 years, and therefore would not reduce employment opportunities. The expansion of mining operations would result in the creation of approximately three new jobs associated with the operation of the proposed asphalt batch plant. Therefore, potential impacts on population, employment, or housing are considered less than significant.

PARKS, OPEN SPACE, AND RECREATION

Development of the proposed project would not result in an increase in the demand for neighborhood or regional parks or other recreational facilities. No homes or other uses are proposed that would result in new residents and a consequential increase in the demand for parks or recreation uses. The nearest recreational area, Camp Far West Reservoir, would not be adversely affected by the proposed mine expansion project. Whereas Camp Far West Reservoir is located east of the mine, mine-related traffic would proceed west on Camp Far West Road to Porter Road, then south toward Sheridan and State Route (SR) 65. Mine-related facilities and uses would occur onsite; no uses are proposed that would affect recreational uses of the reservoir. Mine-related traffic, including haul trucks carrying mined sand and gravel products and asphaltic concrete, would not be traveling toward the reservoir or the immediately surrounding area. Therefore, development of the proposed project would not result in any impacts on parks, open space, and recreation.

POLICE SERVICES

The Patterson Sand and Gravel mine is serviced by both the Yuba County and Placer County Sheriff's Departments. The Marysville station in Yuba County provides law enforcement service to the mine

with an approximate response time of 15 minutes. The proposed project would not affect the response time or service of, or cause a demand for more facilities for, the Marysville station of the Yuba County Sheriff's Department (Escovedo, pers. comm., 2002). The Loomis substation serves the mine for Placer County with an approximate response time of 8 minutes by the deputy patrol and 12 minutes from the station. The proposed project would not result in a change in the response time or service of, or demand for new facilities for, the Loomis substation of the Placer County Sheriff's Department (Flaherty, pers. comm., 2002). Therefore, development of the proposed project would not result in impacts related to police services.

SCHOOLS

Development of the proposed project would not result in any significant impacts on schools. Expansion of the existing operation would only create three additional employment opportunities, which, if employees were to relocate to the area, would not generate a substantial increase in student population. Therefore, less-than-significant project-related impacts on schools would result from development of the proposed mine expansion project.

SOLID WASTE

Development and operation of the proposed mine expansion would not result in the creation of substantial amounts of solid waste. Mining at the Patterson mine site currently produces very little solid waste. Mined materials are marketed as a variety of construction and road base products. All processing fines would be stockpiled and used for ongoing levee construction and postmining reclamation activities, including placement of growth media and mine pit backfilling. No residential or commercial uses are proposed that would contribute to the waste stream on a continual basis. Therefore, project impacts on solid waste are considered less than significant.

WATER USAGE AND SEWER CAPACITY

The proposed project is not expected to increase the mine's usage of process water, and the proposed project would be adequately served by bottled water, and by a previously approved potable well and onsite sewage treatment system. The proposed project would have a less-than-significant impact related to groundwater extraction for the project water supply needed for aggregate processing, production of asphaltic concrete, and the provision of water and wastewater services.

The Patterson mine is currently subject to the Waste Discharge Requirements (WDRs) issued by the Central Valley Regional Water Quality Control Board (RWQCB) (Order No. 87-106). The WDRs limit discharges of process water into the mine's settling ponds to a rate of 500,000 gallons per day, with a maximum 30-day average daily dry-weather discharge flow of 0.5 million gallons. Water used for processing operations (and appurtenant uses) is supplied from reclaimed washwater and from freshwater obtained from groundwater pits. Processing operations use approximately 4,500 gallons per minute (gpm), primarily for washing. Most of the water is recycled through a nearly closed system, whereby wastewater from the processing plant is combined with the processing waste fines from washing operations to create a slurry, which is then pumped to settling/holding ponds where the fines

are allowed to settle. Some of the washwater in the settling ponds is lost to evaporation and percolation. The remaining water is either reused onsite for dust control or is conveyed back to the processing plant for reuse in aggregate processing operations. Approximately 800 gpm of freshwater (i.e., make-up water) is needed to make up the water lost to evaporation or percolation. Make-up water is pumped directly from groundwater ponds.

The proposed project would include construction and operation of an asphalt batch plant. Water is not used in the production of asphalt, but it is used for maintenance (i.e., cleaning) of the asphaltic concrete production area and equipment. Estimated water usage for maintenance of the asphalt batch plant would be about 10 gpm (Spence-Wells, pers. comm., 2002). The project would reduce the mine's average annual production rate (AAPR) from about 1.5 million tons per year (mty) to about 1.25 mty, and the proposed asphalt batch plant would not require a substantial amount of additional water use; therefore, the proposed project is not expected to increase the volume or rate of process water usage. The proposed project would have a less-than-significant impact related to groundwater extraction for aggregate processing, production of asphaltic concrete, and appurtenant uses.

There is no domestic water supply at the existing operation. The existing office building is served by bottled water delivered periodically to the existing operation from a local bottled water supplier, and the proposed new office building would also be served in this manner. As part of a separate permitting action, Placer County approved a minor use permit (MUP-2307) to construct a new 7,500-square-foot maintenance shop building, an onsite sewage disposal system, and a new potable well. This approved well would supply potable water to the existing non-office employees and the three new asphalt batch plant employees. Because the existing and future employees would be adequately served by bottled water and potable well water, the proposed project would have a less-than-significant impact on the provision of domestic water.

The proposed mine expansion project would not result in the need for additional sewage/wastewater treatment services, and none are proposed. The existing operation currently maintains two toilets in the office and four portable toilets that can be moved to various locations within the mine site. The portable toilets are periodically emptied or replaced by a portable toilet service and the existing toilets in the mine office are on a septic system that is serviced periodically. The previously approved minor use permit (MUP-2307) allows construction of an onsite sewage disposal system designed to accommodate a maximum of 51 daily employees (Aqua-Terra Environmental Consultants 2001). The proposed project would create approximately three new jobs in addition to the 44 people currently employed at the mine. Because the approved sewage disposal system would accommodate a maximum of 51 daily employees, it would be able to accommodate the three additional employees generated by the proposed mine expansion and asphalt batch plant project. Therefore, project-induced impacts related to water and wastewater are considered less than significant.

1.5 EIR ORGANIZATION

This EIR is organized into chapters, as identified and briefly described below. Chapters are further divided into sections (i.e., Chapter 4, Land Use/Agriculture, and Section 4.2, Regulatory Setting):

Chapter 1, Introduction: This chapter introduces the proposed project, provides an overview of the environmental review process, and discusses the Effects Found Not to be Significant that are not analyzed further in later chapters.

Chapter 2, Project Description: This chapter provides a detailed description of the proposed mine expansion project including location, project purpose and objectives, and project components and operational parameters, as well as an overview of proposed site reclamation. In addition, an overview of the existing operation including mining, processing, and reclamation is presented.

Chapter 3, Executive Summary: This chapter provides an overview of key elements of the EIR. A summary of the project description and project alternatives is included. Documentation of the areas of controversy, issues raised, and issues resolved in the EIR are found in this chapter of the EIR. A comprehensive overview of all environmental impacts and mitigation measures, along with the level of significance before and after mitigation, is presented in a table format for ease of reference.

Chapters 4–15: Environmental Impact Analysis: These chapters evaluate the potentially significant project impacts by subject area (e.g., Land Use/Agriculture, Visual Resources). Here, the baseline conditions are described, along with the regulatory setting, as applicable, for each environmental issue. The anticipated changes to the existing conditions after development of the proposed mine expansion project are then evaluated for each subject area. Mitigation measures are presented for any significant or potentially significant impacts that would result with project development, and the remaining level of significance is specified. Environmental impacts are numbered throughout the chapters of the EIR, beginning with the chapter number, followed sequentially by impact number. Therefore, the first impact in Chapter 4, Land Use/Agriculture, is impact number 4-1 and the second impact is 4-2. Mitigation measures are formatted to separate the project applicant's proposed mitigation measures (designated with the letter "P") from recommended mitigation measures (designated with the letter "R"). Additionally, the mitigation measures are numbered to correspond to the impact numbering. Therefore, mitigation measures provided for impacts 4-1 and 4-2 would be mitigation measure R4-1 if recommended in the EIR, or P4-1 if proposed by the applicant; and mitigation measure R4-2 if recommended in the EIR, or P4-2 if proposed by the applicant.

Chapter 16, Cumulative Impact Analysis: This chapter provides a discussion of what environmental impacts would be "individually limited, but cumulatively considerable" when viewed in connection with other past, current, and probable future projects.

Chapter 17, Alternatives to the Proposed Project: This chapter of the EIR presents a range of reasonable alternatives that could feasibly attain most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects of the project. Potential environmental impacts of the alternatives are discussed in comparison to the impacts that would result with the proposed mine expansion project and the environmental advantages and disadvantages of each alternative is presented.

Chapter 18, Other CEQA-Required Sections: The potential for the project to foster economic or population growth or remove obstacles to growth is presented in Section 18.1 of this chapter. Section

18.2 presents a summary of significant unavoidable environmental impacts, and Section 18.3 provides a discussion of significant irreversible environmental effects.

Chapter 19, Mitigation Monitoring and Reporting Program: This chapter presents the draft Mitigation Monitoring and Reporting Program (MMRP) prepared for the proposed mine expansion project to identify changes made to the project or conditions of approval, adopted to mitigate or avoid significant effects on the environment. The MMRP has been prepared in accordance with PRC §21081.6 and State CEQA Guidelines §15097. The MMRP is provided in this EIR to allow members of the general public, responsible agencies, and others the opportunity to review the plan prior to its adoption.

Chapter 20, References and Personal Communications: The list of resource documents and Internet websites used in this EIR, and the names of persons and associated agencies that were contacted during preparation of this document are contained in this chapter.

Chapter 21, Report Preparation: This chapter identifies the individuals, organized by agency, company, or organization, that were involved in the preparation the EIR.

Chapter 22, List of Acronyms and Glossary: A definition of terms used in the EIR, including acronyms and abbreviations, is provided in this chapter.

Appendices: Technical information that is too lengthy or detailed to be included within the main body of the EIR (primarily Chapters 4–15), but that is pertinent to the evaluation of environmental impacts of the proposed project, or that is procedurally relevant (e.g., the NOP), is contained in the appendices. These appendices are included under separate cover as Volume II.

1.6 TERMINOLOGY USED IN THE EIR

The EIR includes the following terminology to denote the significance of environmental impacts of the proposed project:

- ***Less-than-Significant Impact:*** A less-than-significant impact is one that would not result in a substantial and adverse change in the physical environment. This impact level does not require mitigation measures.
- ***Significant Impact:*** State CEQA Guidelines §15382 defines a significant impact as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project …" The checklist in Appendix G of the State CEQA Guidelines provides questions to consider in determining the significance of impacts associated with the proposed mine expansion project. Potentially feasible mitigation measures or alternatives to the proposed project must be considered in an attempt to substantially reduce significant impacts.
- ***Potentially Significant Impact:*** A potentially significant impact is one that, if it were to occur, would be considered a significant impact as described above;

however, the occurrence of the impact cannot be immediately determined or there is some uncertainty associated with its occurrence. For example, while the EIR may provide evidence that buried archaeological resources could be found in a particular location, the actual discovery cannot be determined until the time of project construction. For CEQA purposes, a potentially significant impact is treated the same as a significant impact; for example, it requires consideration of feasible mitigation measures and alternatives.

- ***Significant and Unavoidable Impact:*** A significant and unavoidable impact is a substantial adverse effect on the environment that cannot be feasibly mitigated to a less-than-significant level or reduced to a less-than-significant level by adoption of a feasible alternative. A project could still proceed with significant unavoidable impacts, but the decision-making body would then be required to prepare a Statement of Overriding Considerations, pursuant to State CEQA Guidelines §15093, which would explain why the lead agency would proceed with the project in spite of the unavoidable significant impacts.

- ***Threshold of Significance:*** A criterion established by the lead agency to define at what level an impact would be considered significant (i.e., if an impact exceeds a threshold, it would be considered significant). Criteria are defined for this EIR by Placer County based on examples found in CEQA or the State CEQA Guidelines. Scientific and factual data relative to the lead agency, expert opinion based on facts, the policy/regulatory environment of affected jurisdictions, and other factors may all be considered.

- ***Mitigation Measure:*** The EIR also identifies mitigation measures. State CEQA Guidelines §15126.4 defines mitigation as measures that could feasibly minimize significant effects. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. Moreover, they must also be connected to the impact and roughly proportional in extent to the impact of the project.